

REMARKS

In the Notice of Non-Compliant Response dated February 22, 2008, the Examiner indicates that in the Response to the Restriction Requirement filed on November 30, 2007, Applicants did not make a proper species election. The Examiner has clarified the species election in the Notice.

In response, Applicants provisionally elect Vitamin C as the species of antioxidants, tacrine as the species of acetylcholine enhancers, Cu as the species of trace metals, and Vitamin B12 as the species of prosthetic groups, for continued prosecution.

Presently, claims 6, 42-48, 50-52 and 59-62 recite an antioxidant or depends from a claim that recites an antioxidant, and are believed to be generic to or read on the elected antioxidant species of Vitamin C.

Claims 6, 42-46, 48, 50-52 and 59-62 recite an acetylcholine enhancer or depends from a claim that recites an acetylcholine enhancer, and are believed to be generic to or read on the elected acetylcholine enhancer species of tacrine.

Claims 6, 42-48, 50-52 and 59-62 recite a trace metal or depends from a claim that recites a trace metal, and are believed to be generic to or read on the elected trace metal species of Cu.

All claims, i.e., claims 6 and 42-64 recite a prosthetic group or specifically Vitamin B12, or depends from a claim that recites a prosthetic group or specifically Vitamin B12. Therefore, all claims are believed to be generic to or read on the elected species of Vitamin B12.

Applicants request that the Examiner reconsider and withdraw the requirement for restriction and provide an action on the merits with respect to all the claims. Applicants

respectfully submit that a determination to make the pending restriction requirement final must evidence the patentable distinctness of the species, one from the other, as presented by the Examiner.

Respectfully submitted,



Xiaochun Zhu
Registration No. 56,311

Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza-Suite 300
Garden City, New York 11530
(516) 742-4343
XZ:dg